IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9156 of 2005

Between:

Mukhtar Saleem S/o.Mohammed Ali Naseer
R/o.23-1-836, Moghalpura Hyderabad.

..... PETITIONER

AND

1.The Deputy Commissioner of Police,

South Zone, Purani Haveli, Hyderabad.
2 The State House Officer, Kanchanbagh Police Station, Hyderabad.

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....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order writ or direction more particularly one in the nature of writ of Mandamus, to declare the action of the respondents in not taking any action against the complaint lodged by the petitioner on 10-4-2005 as arbitrary, illegal, unjust and violative of Articles 19 and 21 of the Constitution of India and consequently direct the respondents herein to act upon on the complaint dt.10.4.2005.

Counsel for the Petitioner:MR.M.LAYEEQ KHAN

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

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ORDER:

This Writ Petition is filed to declare the action of the respondents in not taking any action against the complaint lodged by the petitioner on 10-04-2005, as arbitrary, illegal and consequently direct the respondents to act upon the said complaint.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The learned counsel for the petitioner submits that petitioner purchased the plot Nos.1835,1836 and 1856 admeasuring 240 square yards in Survey No.303 to 306 of Hafeez Baba Nagar,Hyderabad through an agreement of sale dated 12-11-1990 from its lawful owner one Mr. Mohd.Abdul Hameed for a valid sale consideration and he is in peaceful possession and enjoyment of the same. While so, one Mr.Abbu

Razvi, who is a well known land grabber is interfering with petitioner's possession and enjoyment of his property, the petitioner has filed a suit in O.S.No.1156 of 2005 for perpetual injunction on the file of VIII Junior Civil Judge, City Civil Court, Hyderabad. The said Mr.Abbu Razvi, who is defendant in the suit, pressurizing the petitioner to withdraw the suit and also threatening to kill him. Therefore, the counsel for the petitioner prays to direct the respondents to take appropriate action against the said person, otherwise, there is apprehension of harm to the petitioner and his family.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents to register the complaint made by the petitioner on 10-04-2005 and investigate the same in accordance with law within a period of six weeks from the date of receipt of a copy of this order .No order as to costs.

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Elipe Dharma Rao, J

25-04-2005

Stp

To

1.The Deputy Commissioner of Police,

South Zone, Purani Haveli, Hyderabad.
2 The State House Officer, Kanchanbagh Police Station, Hyderabad.

3)Two CCs to G.P. for Home, High Court of A.P.,Hyderabad.(OUT).

4) 2 CD copies

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